

Message Text

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ACTION NEA-10

INFO OCT-01 AF-10 EUR-12 ISO-00 SP-02 USIA-06 AID-05
EB-08 NSC-05 TRSE-00 SS-15 STR-04 OMB-01 CEA-01
CIAE-00 FRB-03 INR-07 NSAE-00 XMB-02 OPIC-03
LAB-04 SIL-01 AGRE-00 DODE-00 PM-05 H-01 L-03
PA-01 PRS-01 SSM-03 JUSE-00 /114 W
-----114745 201010Z /21

R 200529Z AUG 77
FM USINT BAGHDAD
TO SECSTATE WASHDC 4887
INFO USDOC WASHDC
AMEMBASSY ABU DHABI
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AMEMBASSY AMMAN
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AMEMBASSY CAIRO
AMEMBASSY DAMASCUS
AMCONSUL DHAHRAN
AMEMBASSY DOHA
AMEMBASSY JIDDA
AMEMBASSY KHARTOUM
AMEMBASSY KUWAIT
AMEMBASSY LONDON
AMEMBASSY MANAMA
AMEMBASSY MUSCAT
AMEMBASSY PARIS
AMEMBASSY RABAT
AMEMBASSY SANA
AMEMBASSY TEL AVIV
AMEMBASSY TRIPOLI

C O N F I D E N T I A L BAGHDAD 1405

E.O. 11652: GDS
TAGS: ETRD, IZ
SUBJECT: IRAQ'S BOYCOTT STANCE
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REFC(A) BAGHDAD 1340, (B) BAGHDAD 1106

1. SUMMARY: INTERVIEW WITH MFA BOYCOTT DIRECTOR APPEARS
TO CONFIRM WILLINGNESS OF AT LEAST INTERMEDIATE LEVEL
OFFICIALS TO DISCUSS SERIOUSLY BOYCOTT ISSUES. END SUMMARY.

2. ACTING PRINCIPAL OFFICER AND COMMERCIAL ATTACHE CALLED AUGUST 13 ON HASSAN ABDUL HAMEED, DIRECTOR FOR BOYCOTT AFFAIRS, MINISTRY OF FOREIGN AFFAIRS, TO FOLLOW UP ON PREVIOUS DISCUSSIONS (SEE REF. B) OF NEW US ANTI-BOYCOTT LEGISLATION. ASKED FOR HIS COMMENTS ON THE NEW LAW, NOW THAT HE HAD HAD TIME TO STUDY IT, ABDUL HAMEED SAID THAT HE THOUGHT IT WOULD "DAMAGE" US EXPORTS TO ARAB COUNTRIES. APO REPLIED THAT IN MOST ARAB COUNTRIES BOYCOTT ISSUES WERE BECOMING A QUESTION OF WORKING OUT SUITABLE LANGUAGE TO INCLUDE IN COMMERCIAL DOCUMENTATION, AND THAT IRAQ APPEARED TO BE INCREASINGLY ISOLATED IN ITS STAND.

3. ABDUL HAMEED ACKNOWLEDGED IRAQ'S ISOLATION AND VOLUNTEERED THAT EVEN LIBYA WOULD NOW ACCEPT POSITIVE CERTIFICATES OF ORIGIN. WHEN ASKED WHY HE THOUGHT IRAQ FOUND ITSELF STANDING ALONE, ABDUL HAMEED SAID THAT HE THOUGHT THE OTHER ARAB LEAGUE MEMBERS HAD ANTICIPATED THE PROVISIONS OF THE NEW US LAW AND HAD SOME TIME AGO BEGUN TO MAKE ADJUSTMENTS. HE ALSO SAID IN CONFIDENCE THAT HE PERSONALLY WAS VERY CONCERNED ABOUT THE CONFLICT BETWEEN THE IRAQI BOYCOTT REGULATIONS AND PROVISIONS OF NEW US ANTI-BOYCOTT LAW AND THAT HE HAD WRITTEN A MEMORANDUM SAYING THAT THE CONFLICT COULD THREATEN ALL OF IRAQ'S IMPORTS FROM THE UNITED STATES.
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4. POINTING OUT HOW SOME OF THE CONFLICTS MIGHT BE REDUCED TO QUESTIONS OF SUITABLE LANGUAGE, COMMAT CONTRASTED IRAQI TENDER DOCUMENT CONDITIONS SAYING THAT GOODS MAY NOT BE SHIPPED ON BLACKLISTED STEAMERS WITH LANGUAGE ACCEPTABLE UNDER NEW US LAW THAT WOULD ALLOW IRAQ TO PROHIBIT GOODS FROM BEING SHIPPED ON VESSELS OF A BOYCOTTED COUNTRY OR ON VESSELS THAT CALL AT PORTS OF BOYCOTTED COUNTRY. ABDUL HAMEED NOTED THAT SUCH PROVISIONS WOULD NOT PREVENT GOODS FROM BEING DELIVERED ON BLACKLISTED SHIPS AND SAID A US OFFICIAL VISITING IRAQ IN THE PAST YEAR HAD SUGGESTED THAT IRAQ MIGHT ADOPT LANGUAGE IN ITS TENDER DOCUMENTATION WHICH WOULD REQUIRE SHIPMENT ON VESSELS NOT PROHIBITED FROM ENTERING IRAQI PORTS. ABDUL HAMEED SAID IRAQ HAD REJECTED THIS SUGGESTION AT THAT TIME. HE WAS NON-COMMITTAL WHEN COMMAT ASKED IF HE WOULD APPRECIATE USINT'S CHECKING WITH WASHINGTON AS TO WHETHER THIS LANGUAGE WAS STILL ACCEPTABLE UNDER NEW US LEGISLATION. (COMMENT: WE ARE UNAWARE WHO "US OFFICIAL" MIGHT HAVE BEEN, AND ABDUL HAMEED WAS NOT TELLING.)

5. NOTING THAT IMPLEMENTING REGULATIONS FOR NEW US LAW WERE NOW BEING DRAFTED, ABDUL HAMEED REQUESTED THAT USINT CONVEY TO WASHINGTON HIS CONCERN THAT THE REGULATIONS MIGHT DENY US COMPANIES THE RIGHT TO RESPOND TO UNTRUE CHARGES THAT THEY HAD DEALINGS WITH ISRAEL PROHIBITED BY THE ARAB LEAGUE'S BOYCOTT. HE CITED THE EXAMPLE OF NEWSPAPERS PLANTED BY UNSCRUPULOUS BUSINESS COMPETITORS. WE SAID THAT THE NEW LAW SPECIFICALLY PROHIBITS US COMPANIES FROM PROVIDING INFORMATION ABOUT RELATIONS WITH BOYCOTTED COUNTRIES AS WELL AS INFORMATION ABOUT DEALINGS WITH OTHER FIRMS THAT HAVE BUSINESS CONNECTIONS WITH BOYCOTTED COUNTRIES, BUT LAW ALSO ALLOWED US BUSINESSES TO PROVIDE "NORMAL CONFIDENTIAL

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BUSINESS INFORMATION IN A COMMERCIAL CONTEXT." ALTHOUGH THE IMPLEMENTING REGULATIONS WERE NOT YET ISSUED, THEY SURELY WOULD PERMIT COMPANIES TO ISSUE PRESS RELEASES DENYING INCORRECT NEWSPAPER REPORTS.

6' COMMENT: ABDUL HAMEED'S WILLINGNESS TO ENGAGE IN SERIOUS DISCUSSION OF BOYCOTT ISSUES, AND TO SOME EXTENT ALTERNATIVES TO IRAQ'S CURRENT BOYCOTT REGULATIONS, REFLECTS THE MORE FLEXIBLE APPROACH TAKEN BY AL-DURI, MINISTRY OF TRADE OFFICIAL RESPONSIBLE FOR BOYCOTT AFFAIRS IN AUGUST 5 INTERVIEW WITH COMMAT (REF. A). AS ABDUL HAMEED AT ONE POINT MENTIONED THAT HE WAS NOT COMPETENT TO DISCUSS DETAILS OF BOYCOTT REGULATIONS, MOST LIKELY ANY DETAILED DISCUSSION WOULD TAKE PLACE WITH MINISTRY OF TRADE OFFICIALS. WE BELIEVE SHIPPING PROVISIONS MAY OFFER SUITABLE STARTING POINT FOR DETAILED DISCUSSIONS IF AND WHEN THEY DEVELOP, AND WE REQUEST WASHINGTON GUIDANCE AS TO WHETHER LANGUAGE CITED BY ABDUL HAMEED CONCERNING SHIPPING IS AN ACCEPTABLE ALTERNATIVE UNDER NEW US ANTI-BOYCOTT LAW. WE WOULD ALSO APPRECIATE PRELIMINARY INDICATION OF HOW COMPANIES WILL BE PERMITTED TO RESPOND TO FALSE CHARGES RE THEIR ACTIVITIES IN VIOLATION OF THE BOYCOTT. MACK

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